

Challenge to Constitutionality of a State StatuteCOURT OF CRIMINAL APPEALS
AUSTIN, TEXAS

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DEANA WILLIAMSON
CLERK

This form must be completed by a party filing a petition, motion or other pleading **challenging the constitutionality of a state statute**. The completed form must be filed with the court in which the cause is pending as required by Section 402.010 (a-1), Texas Government Code.

Cause Number (For Clerk Use Only):**Court** (For Clerk Use Only):FILED
COURT OF CRIMINAL APPEALS
9/27/2018
DEANA WILLIAMSON, CLERK

Styled: Ruben Lee Allen v. The State of Texas

(e.g., John Smith v. All American Insurance Co.; in re Mary Ann Jones; In the Matter of the Estate of George Jackson)

Contact information for party* challenging the constitutionality of a state statute. (*If party is not a person, provide contact information for party, party's representative or attorney.)

Name: Nicholas Mensch Telephone: 713-368-0016
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Person completing this form is: ☒ Attorney for Party ☐ Unrepresented Party ☐ Other:

Identify the type of pleading you have filed challenging the constitutionality of a state statute.

☐ Petition ☐ Answer ☐ Motion (Specify type):
☒ Other: Petition for Discretionary Review

Is the Attorney General of the State of Texas a party to or counsel in this cause?

☐ Yes ☒ No

List the state statute(s) being challenged in your pleading and provide a summary of the basis for your challenge. (Additional pages may be attached if necessary.)

Texas Code of Criminal Procedure Article 102.011(a) and (b) as facially unconstitutional under the Separation of Powers clause of the Texas Constitution.